IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 13870 of 2004(A)

PETITIONERS:

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1. **PADMAJA.C. W/O.BALAN,**
   CHEMMANIYOTTIL HOUSE, KATTIPPARUTHI,
   VALANCHERRY, MALAPPURAM DISTRICT.

2. **SAIDALAVI, S/O.MUHAMMED,**
   VAZHAKKATTIL HOUSE, KATTIPPARUTHI,
   VALANCHERY,MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR.

RESPONDENTS:

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1. **THE DISTRICT COLLECTOR,**
   MALAPPURAM.

2. **THE SENIOR ENVIORNMENTAL ENGINEER,**
   THE KERALA STATE POLLUTION CONTROL BOARD
   MALAPPURAM.

3. **THE GEOLOGIST, DEPARTMENT OF MINING**
   AND GEOLOGY, MANJERI, MALAPPURAM DISTRICT.

4. **THE VALANCHERRY GRAMA PANCHAYATH,**
   REP. BY THE SECRETARY,
   VALANCHERRY, MALAPPURAM DISTRICT.

5. **THE SUB INSPECTOR OF POLICE,**
   VALANCHERRY POLICE STATION,
   MALAPPURAM DISTRICT.

W.P.(C). NO.13870/2004:

6. M/S.KAIKKARA CONSTRUCTION COMPANY,
REP. BY ITS MANAGING PARTNER, A.ABDUL SALAM,
KATHAVARAM BUNGLOW, KANKATHUMUKKU, KOLLAM - 12.

BY ADV. SRI.P.B.SURESH KUMAR,
SRI.K.P.DANDAPANI,
SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.,
GOVT. PLEADER SRI. V.T.K. MOHANAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.13870/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ROUGH SKETCH OF THE AREA.

EXT.P.2: COPY OF THE MASS PETITION SUBMITTED BY THE PEOPLE OF THE AREA TO THE R.1.

EXT.P.3: COPY OF THE EXPLOSIVES LICENCE ISSUED BY THE JOINT CONTROLLER OF EXPLOSIVES, CHENNAI TO ONE M.N. PARAMESWARAN.

EXT.P.4: COPY OF THE ORDER OF THE JOINT CHIEF CONTROLLER OF EXPLOSIVES, CHENNAI, ISSUED IN THE NAME OF M.N. PARAMESWARAN DTD. 10/03/2004.

EXT.P.5: COPY OF THE QUARRYING PERMIT ISSUED TO THE R.6.

EXT.P.6: COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN W.P.(C). NO. 11187/2004 DTD. 05/02/2004.

EXT.P.7: COPY OF THE REPRESENTATION SUBMITTED BY ONE N. VENUGOPALAN TO THE R.1. DTD. 24/04/2004.

EXT.P.8: COPY OF THE MASS PETITION SUBMITTED BY THE RESIDENTS OF THE AREA WHERE THE GRANITE QUARRY IS SITUATED, BEFORE THE R.3. DTD. 17/04/2004.

EXT.P.9: COPY OF THE POSTAL RECEIPT SHOWING THE DISPATCH OF EXT.P.8.

EXT.P.10: COPY OF THE REPRESENTATION SUBMITTED BEFORE THE DIRECTOR OF MINING AND GEOLOGY, TRIVANDRUM, DTD. 24/04/2004.

EXT.P.11: COPY OF THE POSTAL RECEIPT SHOWING THE DISPATCH OF EXT.P.10.

EXT.P.12: COPY OF THE NEWS PAPER REPORTS APPEARED IN MADHYAMAM DAILY DTD. 21/04/2004.

EXT.P.13: COPY OF THE NEWS REPORT APPEARED IN MADHYAMAM DAILY DTD. 11/04/2004.

RESPONDENT'S EXHIBITS:

EXT.R6.A: COPY OF THE COUNTER AFFIDAVIT FILED ON BEHALF OF THE P.2. IN W.P.(C). NO. 11187/2004 DTD. 05/04/2004.

W.P.(C). NO.13870/2004:

EXT.R6.B: COPY OF THE PERMIT ISSUED BY THE R.3. ALLOWING THE FIRM TO CARRY OUT QUARRYING TILL 15/07/2004.

EXT.R6.C: COPY OF THE PERMIT ISSUED BY THE JOINT CONTROLLER OF EXPLOSIVES TO SRI. M.N. PARAMESWARAN, DTD. 01/07/1999.

EXT.R6.D: COPY OF THE PERMISSION GRANTED BY THE JOINT CONTROLLER OF EXPLOSIVES, SOUTH CIRCLE, CHENNAI, DTD. 28/04/2004.

//TRUE COPY//

prv.

KURIAN JOSEPH J.

W.P.(C) No.13870 of 2004

Dated 13th June, 2007.

J U D G M E N T

Petitioners approached this Court with certain grievances regarding the quarrying operations conducted by the 6th respondent. In view of the intervening developments pursuant to the interim orders passed by this Court, in case the petitioners have still any grievance left, they may approach the respondents 2 and 4, in which case, appropriate action in accordance with law with notice to the affected parties also will be taken, within another four months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 2003

J U D G M E N T

Dated 13th June, 2007.